IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1089 OF 2006
IN
SUIT NO.2355 OF 1986

M/s.National Textile Corporation Ltd & Ors. ...Plaintiffs

Versus

M/s.Dharmesh Textiles ...Defendants

And

National Textile Corporation (MN) Ltd. ...Applicants

Ms Swapnila Rane for the Applicants/Plaintiffs.

CORAM : ABHAY S.OKA, J.
DATED : JULY 26, 2007.

P.C.:

1. The affidavit of service tendered by the learned counsel appearing for the Applicants is taken on record.

2. The Plaintiffs have filed the suit against the Defendants for recovery of sum of Rs.04,18,016/- together with interest thereon on account of goods sold and delivered by the Shree Sitaram Mills to the Defendants. When the suit was filed, the said Sitaram Mills was vesting in the Plaintiffs. By order dated 08th January, 1998 the first Plaintiff has transferred the said Sitaram Mills to the Applicants. The said order provides that the legal proceedings initiate by the Plaintiffs will have to be continued by the

Applicants. In view of the said order dated 08th January, 1998 (Exhibit B to the affidavit in support), the Chamber Summons deserves to be allowed. Accordingly, the Chamber Summons is made absolute in terms of prayer clauses (a) and (b). Amendment to be carried out within six weeks.

JUDGE